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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/501,715

07/19/2004

Kenji Sato

XA-10139

4462

181

7590

11/15/2006

MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

AMORES, KAREN J

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/501,715	Applicant(s) SATO ET AL.	
	Examiner Karen J. Amores	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/19/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/19/2004, 8/14/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurita, US 6,148,687. Kurita discloses an impact absorption-type steering column apparatus for an automotive vehicle in which a column sided bracket (27) provided separately from a steering column is press-fitted into a car body sided bracket (4) to a car body. A bolt (22) inserts through holes (21 and 28) in the two brackets supports the steering column. When a secondary collision happens, the impact energy is capable of causing flexural deformation to the car body sided bracket while moving the steering column towards the front of the automotive vehicle (column 7, line 17).

The hole of the column sided bracket is formed as an elongated hole (28) extending to the rear of the automotive vehicle from a position of the bolt (fig. 5).

3. In reference to claim 2, Kurita further discloses the car body sided bracket to be a car body sided upper bracket, and

the column sided bracket is a column sided upper bracket (fig.1).

4. In reference to claim 3, Kurita further discloses the hole (21) of the car body sided upper bracket to be an elongated hole (fig. 5) for tilt adjustment (column 5, line 18), and

the bolt is a tilt position fastening bolt (column 5, line 17).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurita in view of Yabutsuka et al., GB 2365826 (Yabutsuka). Kurita discloses the impact absorption-type steering column apparatus for an automotive vehicle as described above. Kurita does not disclose the car body sided bracket to be a car body sided lower bracket and the column sided bracket to be a column sided lower bracket. Yabutsuka teaches a car body sided lower bracket (B); and

a column sided lower bracket (A).

6. In reference to claim 5, Yabutsuka further discloses the car body lower bracket to include a support hole (8) for adjustment of a tilt position (fig. 1A); and

the bolt is a hinge pin (10) for an adjustment of a tilt position that defines a tilt center (fig.

5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Kurita such that it included lower brackets, the support hole for adjustment of a tilt position, and a hinge pin in view of the teachings of Yabutsuka so as to

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provide a supporting structure that gives stable pivoting action in the adjustment of the tilt (paragraph 1), function as a tilt pivoting center (paragraph 2), and prevents looseness of the pivoting center (paragraph 8).

Conclusion

7. References considered pertinent to Applicant's disclosure are listed on form PTO-892. All references listed on form PTO-892 are cited in their entirety.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen J. Amores whose telephone number is (571)-272-6212. The examiner can normally be reached on Monday through Friday, 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571)-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Karen J. Amores


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Examiner
Art Unit 3616

KJA
27 October 2006

 11/13/06
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600